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1	William I. Edlund, State Bar No. 25013				
2	Alan N. Littman, State Bar No. 24053 Robert H. Bunzel, State Bar No. 99395				
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6	Attorneys for Plaintiffs KEVIN MARTIN,				
7	DAVID NORRIS and FRANK STONE				
8					
9	UNITED STATES DI	STRICT COURT			
0	NORTHERN DISTRICT	Γ OF CALIFORNIA			
-	OAKLAND D	DIVISION			
1					
2	KEVIN MARTIN, DAVID NORRIS, FRANK ) STONE, individually and on behalf of all other )	Case No. 10-0402			
3	similarly situated,	STIPULATION SELECTING AI			
4	Plaintiffs,				
5	v. )	Judge: Hon. Place: Dept			
6	MERRILL LYNCH, PIERCE, FENNER & )	Complaint Filed:			
7	SMITH, INCORPORATED, MERRILL ) LYNCH & CO., INC., BRIAN RILEY and )	Trial Date:			
'	DOES One through Twenty,				

Defendants.

Case No. 10-04020 CW

## **STIPULATION AND ORDER** SELECTING ADR PROCESS

Hon. Claudia Wilken Judge:

Place: Dept. 2

Complaint Filed: August 6, 2010

Trial Date: None Set

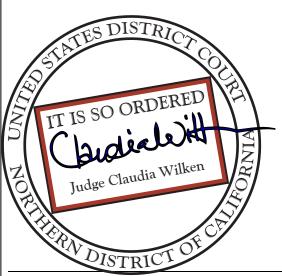
Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5.

The parties agree to participate in the following ADR Process: Mediation by an agreed upon mediator with a private mediation service.

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The parties	agree to hold the	e ADR session by a date to be agreed upon, but no later
than March 31, 2011.		
DATED:	_, 2010	
		BARTKO, ZANKEL, TARRANT & MILLER A Professional Corporation
		By William I. Edlund Attorneys for Plaintiffs KEVIN MARTIN, DAVID NORRIS
		and FRANK STONE
DATED:, 2010		MUNGER, TOLLES & OLSON
		By
		Victoria L. Boesch Attorneys for Defendants MERRILL LYNCH, PIERCE, FENNER & SMITH, INCORPORATED, MERRILL LYNCH & CO.



-2-

INC., BRIAN RILEY and DOES One through Twenty